ARTICLE 3 ZONING

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DIVISION 1 GENERAL PROVISIONS

Section 3-101 Establishment of Zone Districts. The following zone districts are established. Section 3-501, *Use Table* explains the uses that are allowed and the type of review required in each zone district. The lot and building requirements for each zone district are set forth in Division 2 of this Article. [NOTE: The county is free to decide which zoning districts it wishes to establish and the uses allowed in that district. Some counties have not established any zoning districts]

- **A.** Resource (R). The Resource zone district comprises the County's natural resource areas, including agricultural resource areas, water and mineral resource areas, wildlife habitat and open space. Use, densities and standards for this zone district are intended to preserve the existing rural character, and to protect and conserve natural resource production areas from uncontrolled and unmitigated residential, commercial and industrial use.
 - 1. Residential Use. The zone district permits development of single-family dwelling units on lots of thirty-five (35) acres or larger, or clustered development on smaller lots in a manner that preserves remaining areas of the property for agricultural use, ranchland or as common open space.
 - 2. Commercial and Industrial Use. The zone district permits low-intensity commercial and industrial uses that have a resource orientation, and small recreation areas that comply with the [Comprehensive Plan/Master Plan] policies.
- **B.** Rural Residential (RR). The Rural Residential zone district comprises the County's natural resource areas, including agricultural resource areas, water and mineral resource areas, and open space. Use, densities and standards for this zone district are intended to preserve the existing rural character, and to protect and conserve natural resource production areas while allowing for residential development at a higher density than allowed in the Resource zone district.
 - 1. Residential Use. The zone district permits development of single-family dwelling units on lots of ten (10) acres or larger, or clustered development on smaller lots in a manner that preserves remaining areas of the property as agricultural land or common open space.
 - **2. Commercial and Industrial Use.** The zone district permits low-intensity commercial uses that have a resource orientation, and

small recreation areas that comply with the [<u>Comprehensive</u> <u>Plan/Master Plan</u>] policies.

- **C. Estate Residential (ER).** The Estate Residential zone district comprises areas where management and maintenance of resources, including agricultural resources, is of incidental value, allowing for residential areas to be developed at a higher density.
 - 1. Residential Use. The zone district permits development of single-family, duplex and multi-family residences on lots of one (1) acre or larger, or clustered development on smaller lots in a manner that preserves remaining areas of the property as open space.
 - 2. Commercial Use. The zone district permits the development of small, convenience-type commercial uses to serve the neighborhood.
- **D.** Suburban Residential (SR). The Suburban Residential zone district comprises moderate-density residential neighborhoods, located in proximity to existing transportation facilities, necessary infrastructure and employment opportunities.
 - 1. Residential Use. The zone district permits development of single-family and duplex residences on lots of seventy-five hundred (7,500) square feet or larger.
 - 2. Commercial Use. The zone district permits the development of small, convenience-type commercial uses to serve the neighborhood.
- **E. Multifamily Residential (MFR).** The Multifamily Residential zone district comprises high-density residential development, located in proximity to existing transportation facilities, necessary infrastructure and employment opportunities.
 - 1. Residential Use. The zone district permits development of single-family, duplex and multi-family residences on lots of seventy-five hundred (7,500) square feet or larger.
 - **2. Commercial Use.** The zone district permits the development of small, convenience-type commercial uses to serve the neighborhood.

- **F. Manufactured Home Park (MHP).** The Manufactured Home Park zone district comprises areas developed with spaces to be either sold or leased for placement of manufactured homes used as permanent single-family dwelling units.
- **G.** Commercial, Limited (CL). The Limited Commercial zone district provides for a limited range of commercial uses needed to meet the shopping needs of residents in the adjacent neighborhoods. Businesses are oriented to the neighborhood and compatible with surrounding residential uses.
 - Commercial Use. The zone district permits the development of small retail and convenience-type commercial uses to serve the neighborhood including convenience stores, restaurants, personal service and office use.
 - **2. Residential Use.** The zone district permits high-density residential development.
- H. Commercial, General (CG). The General Commercial zone district provides for commercial uses intended to serve the County as a whole. Clustering of business development in centers is encouraged. Development standards and review criteria are specifically intended to discourage strip development and encourage low-scale, low-impact commercial areas. Large-scale commercial business development is not considered appropriate in the unincorporated areas of the County, except in areas contiguous to major resort areas.
 - 1. Commercial Use. The zone district permits commercial development that includes wholesale and recreation oriented businesses.
 - **2. Residential Use.** The zone district permits high-density residential development.
- **I. Industrial (I).** The Industrial Zone District provides appropriate areas for industrial businesses in locations where conflicts with residential, commercial and other land uses can be minimized.
- **J.** Airport and Heliport (AH). The Airport and Heliport Zone District comprises land designated for supporting the operations of publicly owned airports, landing strips, heliports and helistops in [*County*].

1. Land use in the Airport and Heliport zone district shall be guided by an FAA approved Layout Plan for the specific airport, landing strip, heliport or helistop. If an airport, landing strip, heliport or helistop does not have an FAA approved Layout Plan, it shall have a layout plan approved by the Board of County Commissioners.

Section 3-102 Establishment of Overlay Districts. Overlay Districts are superimposed over the existing zone district, and overlay district regulations are in addition to those of the underlying zone district, unless otherwise provided in these Regulations. Use restrictions for the individual overlay districts are set forth in Division 4, *Overlay District Regulations* of this Article. The following overlay districts are established.

[For example:]

A. Floodplain Overlay.

1. **Boundaries and Jurisdiction.** Reports, studies and maps establishing the Floodplain Overlay District are incorporated herein, pursuant to Article 1, Section 1-110, *Incorporation and Interpretation of Maps*.

B. Urban Growth Area Overlay.

1. **Boundaries and Jurisdiction.** Reports, intergovernmental agreements and maps establishing the Urban Growth Area Overlay District are incorporated herein, pursuant to Article 1, Section 1-110, *Incorporation and Interpretation of Maps*.

C. Rural Community Overlays.

1. **Boundaries and Jurisdiction.** The boundaries of a Rural Community Overlay District are established by resolution of the Board of County Commissioners and incorporated herein, pursuant to Article 1, Section 1-110, *Incorporation and Interpretation of Maps*.

D. View Protection Overlay.

1. Boundaries and Jurisdiction. Maps establishing the View Protection Overlay District are incorporated herein, pursuant to Article 1, Section 1-110, *Incorporation and Interpretation of Maps*.

E. Watershed Protection Overlay.

1. **Boundaries and Jurisdiction.** The boundaries of the Watershed Protection Overlay District shall be established by resolution of the Board of County Commissioners and incorporated herein, pursuant to Article 1, Section 1-110, *Incorporation and Interpretation of Maps*.

F. Airport / Heliport Influence Area Overlay.

1. Boundaries and Jurisdiction. Plans and maps establishing the Airport/Heliport Influence Area Overlay District are incorporated herein, pursuant to Article 1, Section 1-110, *Incorporation and Interpretation of Maps*.

Section 3-103 Planned Unit Development (PUD). The PUD is a type of customized zoning district, intended to encourage greater flexibility and innovation. The PUD provides an opportunity for a mixture of uses in a coordinated manner that may not be possible in a traditional zoning district. PUDs are allowed by statute at 24-67-101, *et seq.*, C.R.S. The PUD process is set forth in Article 6 of these Regulations.

A. Purpose.

- Integration of Uses. To allow development concepts which integrate commercial, recreational, and educational facilities with residential development.
- 2. Efficient Land Use. To facilitate efficient land use that promotes and expands opportunities for public transportation and for efficient networks of streets and utilities.

Section 3-104 Land Use Not Included in These Regulations. Land use not included in 3-501, *Use Table* of this Article shall be considered use that is not allowed. A land use not included in these Regulations may become a permitted land use pursuant to one of the following processes.

A. Determination of Similar Use. The [<u>Administrator/Director</u>] determines that the proposed use is similar to a use included in Section 3-501, *Use Table*, based upon an administrative interpretation of the Regulations. The use shall be subject to the applicable standards for the similar use.

B. Regulations Amended. The Regulations are amended to include the proposed use. The Code amendment process is set forth in Article 4, Section 4-302, Land Use Code Text Amendment. The amendment shall add the use to Section 3-501, Use Table, indicate the zone districts in which the use is allowed and the level of review required, and specify any use restrictions and additional standards that are applicable to the land use.

DIVISION 2 ZONE DISTRICT REGULATIONS

Unless otherwise provided in these Regulations land uses and activities are subject to the following lot and building requirements, in addition to the applicable land use standards set forth in Article 7, *Standards*. Minimum requirements for lot size, setbacks and height are summarized for each zone district in Section 3-503, *Table: Lot Size and Setback Requirements*.

Section 3-201 Basic Requirements.

A. Lot Slope.

- 1. Original and undisturbed slope in excess of forty (40) percent shall not be credited toward lot area in determining whether the minimum lot area requirements will be met.
- 2. Land use changes requiring a minimum lot size of one (1) acre or greater shall establish a building envelope of one (1) acre or more which does not contain slopes forty (40) percent or greater.
- 3. The proposed use shall comply with the standards for slope development set forth in Article 7, Section 7-211 F.
- **B.** Lot Frontage. Unless otherwise provided in these Regulations, each lot shall have a minimum of twenty-five (25) lineal feet of frontage on a dedicated street or road right-of-way providing access.
 - 1. Frontage, Residential Buildings. Primary residential buildings shall front on a dedicated street or road.
 - a. More Than One Building. For lots that contain more than one building dedicated wholly or partially to residential use, and which cannot provide the required street or road frontage due to the shape of the lot, those buildings lacking street or road frontage shall front on a dedicated driveway

easement at least twenty-five (25) lineal feet in width and maintained in an unobstructed condition.

- C. **Projection into Required Setbacks.** Required setback areas shall be unobstructed from the ground to the sky, with the following exceptions.
 - 1. Projection of cornices, sills, and ornamental features into required setback areas:

maximum 12 inches

2. Projection of roof eaves/overhangs into required setback areas:

maximum 18 inches

3. Projection of fire escapes and balconies, not used as passageways, into required setback areas:

> Side Yard maximum 18" Rear Yard maximum 4' Front Yard maximum 4'

4. Projection of uncovered porches, patios, walks, and steps:

no restrictions

Section 3-202 Resource Zone District.

- A. Lot and Building Requirements.
 - 1. Lot Size.

Minimum Lot Area: 35 acres a.

- 2. Minimum Setbacks.
 - Front Yard: a.

(1) **Arterial Street** 50'

25' (2) Local Street

Side Yard: b. 12.5' or ½ of the height of

the tallest building on lot,

whichever is greater

c. Rear Yard: 12.5' or ½ of the height of the tallest building on lot,

whichever is greater

3. Maximum Building Height:

a. Non-residential Structures 40'

b. Residential Structures 30'

Section 3-203 Rural Residential Zone District.

- A. Lot and Building Requirements.
 - 1. Lot Size.

a. Minimum Lot Area: 10 acres

- 2. Minimum Setbacks.
 - a. Front Yard:

(1) Arterial Street 50'

(2) Local Street 25'

b. Side Yard: 12.5' or ½ of the height of

the tallest building on lot, whichever is greater

c. Rear Yard: 12.5' or ½ of the height of

the tallest building on lot, whichever is greater

3. Maximum Building Height: 30'

Section 3-204 Estate Residential Zone District.

A. Lot and Building Requirements.

1		L	ot.	Si	ze.

Minimum Lot Area: 1 acre a.

Minimum Setbacks. 2.

> a. Front Yard:

> > (1) **Arterial Street** 50'

> > Local Street 25' (2)

b. Side Yard: 12.5' or ½ of the height of

> the tallest building on lot, whichever is greater

Rear Yard: 12.5' or ½ of the height of C.

the tallest building on lot,

whichever is greater

3. **Maximum Building Height:** 30'

Section 3-205 Suburban Residential Zone District.

- Lot and Building Requirements. A.
 - 1. Lot Size.

a. Minimum Lot Area: 7,500 sf

- Minimum Setbacks. 2.
 - Front Yard: a.

(1) **Arterial Street** 50'

(2) Local Street 25'

Side Yard: 12.5' or ½ of the height of b.

the tallest building on lot, whichever is greater

C. Rear Yard: 12.5' or ½ of the height of

the tallest building on lot,

whichever is greater

3. **Maximum Building Height:** 30'

Section 3-206 **Multifamily Residential Zone District.**

- A. Lot and Building Requirements.
 - 1. Lot Size.

Minimum Lot Area: 7,500 sf a.

- 2. Minimum Setbacks.
 - a. Front Yard:

(1) **Arterial Street** 50'

Local Street 25' (2)

b. Side Yard: 12.5' or ½ of the height of

> the tallest building on lot, whichever is greater

Rear Yard: 12.5' or ½ of the height of C.

> the tallest building on lot, whichever is greater

3. **Maximum Building Height:** 30'

Section 3-207 Manufactured Home Park Zone District.

- A. Lot and Building Requirements.
 - 1. Lot Size
 - a. Minimum Lot Area: 2 acres

2.	Minimum	Lot S	Setbacks

a. Lot Front Yard:

(1) Arterial Street 50'

(2) Local Street 25'

b. Lot Side Yard: 12.5'

c. Lot Rear Yard: 25'

3. Maximum Building Height: 25'

B. Manufactured Home Space Requirements.

1. Manufactured Home Space Size

a. Minimum Area: 3000 sf

2. Manufactured Home Space Minimum Setbacks.

a. Front Yard: 20' from the

front space line

b. Side Yard: 6' from space line

c. Rear Yard: 5' from the

rear space line

- d. Other Setback Requirements.
 - (1) Manufactured Home shall be parked so that the front hitch shall not protrude onto any sidewalk or street, or into any required setback.
 - (2) The minimum space between manufactured housing units shall be 12.'
- **e. Parking.** A minimum of two parking areas per space shall be provided. The parking area shall be graveled or paved.

Section 3-208 Commercial, Limited Zone District.

- A. Lot and Building Requirements.
 - 1. Lot Size.

a. Minimum Lot Area: 7500 sf

- 2. Minimum Setbacks.
 - a. Front Yard:

(1) Arterial Street 50'

(2) Local Street 25'

b. Side Yard: 12.5'

- c. Rear Yard:
 - (1) setback from lot occupied by residential use 25'
 - (2) setback from lot occupied by non-residential use 7.5'
- 3. Maximum Building Height: 35'

Section 3-209 Commercial, General Zone District.

- A. Lot and Building Requirements.
 - 1. Lot Size.

a. Minimum Lot Area: 7,500 sf

- 2. Minimum Setbacks.
 - a. Front Yard:

(1) Arterial Street 50'

(2) Local Street 25'

		b.	Side Yard:		12.5'	
		c.	Rear Yard:			
			(1)	setback from lot occupied by residential use	25'	
			(2)	setback from lot occupied by non-residential use	7.5'	
	3.	Maxin	num B	uilding Height:	35'	
Section 3-210 Industrial Zone District.						
A. Lot and Building Requirements.						
	1.	Lot Si	ze.	ze.		
		a.	Minim			
			(1)	use served by individual well and sewage disposal system	2 acres	
			(2)	use served by central water and individual sewage disposal system	1 acre	
			(3)	use served by central water and sewer	½ acre	
	2.	Minim	num Se			
		a.	Front Yard:			
			(1)	Arterial Street	50'	
			(2)	Local Street	25'	
		b.	Side Yard:		12.5'	

c. Rear Yard: 20'

3. Maximum Building Height: 40'

Section 3-211 Airports and Heliports.

A. Lot and Building Requirements.

- 1. Airport and Landing Strips. Airport and landing strip dimensional criteria shall comply with an FAA or Board-approved layout plan complying with FAA Advisory Circular 150/5300-13, with the exception that aircraft tie-down dimensions need only be sufficient to provide adequate clearances for the aircraft to be tied down.
- 2. Heliport/Helistop. Heliport/helistop dimensional criteria shall comply with an FAA or Board-approved layout plan complying with FAA Advisory Circular 150/5390-2.

DIVISION 3 USE REGULATIONS

Section 3-301 Basic Requirements. The following regulatory provisions apply in all zone districts.

- **A. More than One Principal Use.** A parcel shall not be used for more than one principal use, except as follows.
 - 1. A combination of allowed agricultural uses; a combination of allowed mining uses; or a combination of compatible agricultural and mining uses that are allowed in the zone district.
- B. Exclusion from Setbacks for Fences, Hedges, Walls or Berms.

 Fences, hedges, walls and berms shall not be subject to setback requirements if they do not exceed the following maximum heights.
 - 1. Zone Districts: R, RR, ER, CL, CG, I.

a. Rear Yard 8'

b. Side Yard 8'

c. Front Yard 8'

2.	ΔΙΙ	Other	Zone	Districts.
4 .	ΛП.	Ouici		Dianicia.

a. Rear Yard 8'

b. Side Yard 8'

c. Front Yard 3'

Section 3-302 Accessory Building or Structure.

- **A.** Location in Rear Yard Setback. An accessory building or structure may be located within the required rear yard setback provided the following requirements are met.
 - 1. Maximum Coverage of Rear Yard Area. The accessory building or structure does not exceed forty (40) percent coverage of the required rear yard area.
 - **2. Setbacks.** The accessory building meets the following setbacks.
 - a. Minimum setback from rear lot line not adjacent to an alley

7 ½'

 Minimum setback from rear lot line adjacent to an alley

10'

- **B.** Accessory Dwelling Unit. An Accessory Dwelling Unit established pursuant to these Regulations shall not count towards any applicable density limitations for the property.
 - 1. **Dimensional Limitations.** An Accessory Dwelling Unit shall conform to all setback, height and other dimensional limitations of the underlying zone district.
 - 2. Maximum Floor Area.
 - (1) An Accessory Dwelling Unit shall not exceed 700 square feet in size, unless it is in the Resource Zone District.
 - (2) An Accessory Dwelling Unit in the Resource Zone District

which is used to house a person and their family that is significantly employed for agricultural work on the property may be up to 1,500 square feet.

3. Compliance with Standards. An Accessory Dwelling Unit shall comply with the standards set forth in Article 7, Section 7-802, Additional Standards Applicable to Accessory Dwelling Unit.

Section 3-303 Agriculture.

- **A.** An agricultural use, as defined in this Code, is not required to be located on a building lot or to comply with the minimum lot size requirement for the Resource Zone District.
- **B.** Improved riding facilities may be provided in connection with boarding horses, and made available to fewer than fifteen (15) individuals per month in addition to the owner or manager of the property. Facilities that serve fifteen (15) or more individuals per month shall be subject to restrictions for Equestrian Center, set forth in Section 3-306.

Section 3-304 Campground/Recreational Vehicle Park.

A. Minimum Setbacks.

- **1. Vehicles.** Recreational vehicles and/or tents shall be set back a minimum of twenty (20) feet from each other.
- **2. Boundaries.** The Campground/Recreational Vehicle Park shall comply with the following minimum setbacks:
 - a. Front Yard. The Campground/Recreational Vehicle Park shall be set back a minimum of fifty (50) feet from an arterial or collector road or twenty-five (25) feet from a local or mountain road.
 - b. Side or Rear Property Line. The Campground/Recreational Vehicle Park shall be set back a minimum of twenty (20) feet from any side or rear property line.
- **B. Minimum Park Area.** A Campground/Recreational Vehicle Park shall contain a minimum of five (5) acres.

- **C. Maximum Park Density.** A Campground/Recreational Vehicle Park shall not contain more than [8] campsites per acre.
- **D.** Recreational Vehicle Use Restricted. Use of a recreational vehicle for storage purposes, as an accessory structure, or as a dwelling unit for any purpose other than temporary dwelling unit for travel, recreation or vacation use is prohibited.
- **E.** Compliance with Standards. A Campground/Recreational Vehicle Park shall comply with the standards set forth in Article 7, Section 7-807, Additional Standards Applicable to Campground / Recreational Vehicle (RV) Park.

Section 3-305 Church.

- **A.** The structural height limitations of the zone district shall not apply to church spires, belfries, or cupolas.
- **B.** One single-family dwelling unit for occupancy by the pastor or similar leader of the church shall be considered customary and incidental as part of this use.

Section 3-306 Equestrian Center.

- **A.** An equestrian center with amplified sound and/or lighted outdoor riding, driving or showing of horses shall be subject to Limited Impact Review.
- **B.** An equestrian center that includes competitive events open to participants outside of those who board or train at the facility shall be subject to Major Impact Review.
- **C.** All riding operations shall be contained within the boundaries of the property, except with the following written authorization.
 - 1. Riding may be allowed within a public right-of-way or other private property subject to written authorization from the right-of-way or property owner.
 - 2. Riding may be allowed on publicly owned property subject to written authorization for trail use by the public land management agency.

Section 3-307 Home Occupation.

- **A. Compliance with Standards.** *All* Home Occupation shall comply with the approval standards for Home Occupation set forth in Article 7, Section 7-811.
- **B.** Approval of Home Occupation Is Not Transferable. The approval to conduct a home occupation may not be transferred upon sale or lease of the subject property, or sold to another person or business.

Section 3-308 Manufactured Home.

- **A. Use**. A manufactured home shall be used for the purpose of a single-family dwelling unit. Use of a manufactured home as an accessory structure, or for the purpose of storage is prohibited.
- **B.** Temporary Use as Construction Office. A manufactured home may be used as a temporary office located at a construction site. Any other use of a manufactured home as a temporary structure shall be prohibited.
- **C. Compliance with Standards.** A manufactured home shall comply with the standards set forth in Article 7, Section 7-814.

Section 3-309 Nursery, Commercial.

- **A.** One single-family dwelling unit occupied by the owner, operator or manager shall be considered customary and incidental as a part of this use.
- **B.** Sales of non-plant or animal products may comprise no more than ten (10) percent of total sales.

Section 3-310 Recycling Collection Center.

- **A.** Collection and drop-off centers shall be considered customary and incidental to solid waste transfer facilities, and not required to be located on a building lot or to comply with the minimum lot size requirements for the district in which it is located.
- **B.** A small recycling collection and drop-off center shall be considered customary and incidental to commercial or retail uses that are 20,000 square feet or larger.

Section 3-311 Salvage Yard.

- **A. Minimum Lot Size.** A minimum lot size of five (5) acres, not part of a platted subdivision shall be required.
- **B.** Compliance with Standards. Storage of salvage materials shall conform with the applicable standards set forth in Article 7, Section 7-822, *Additional Standards Applicable to Storage Areas and Facilities.*

Section 3-312 Solid Waste Disposal Site.

- **A.** Lot Size. A minimum lot size of five (5) acres, not part of a platted subdivision shall be required.
- **B.** Certificate of Designation. Solid waste disposal sites shall require a Certificate of Designation pursuant to Section 30-20-102, C.R.S.

DIVISION 4 OVERLAY DISTRICT REGULATIONS

Section 3-401 Floodplain Overlay District.

- **A. Purpose.** The purpose of the Floodplain Overlay is:
 - Minimize Flood Loss. To minimize flood loss and disruption of business and commerce by restricting or prohibiting land use within the floodplain that is dangerous to public health, safety and property in times of flooding.
 - **2. Minimize Flood Damage to Infrastructure.** To minimize flood damage to public utilities, streets and bridges.
 - 3. Promote Effective Expenditures for Flood Control and Relief.
 To insure the most effective expenditure of public funds for necessary flood control projects and flood relief measures.
 - 4. Minimize Adverse Impact to Flood-Carrying Capacity. To minimize and prevent adverse effects of land use and development activity on the flood-carrying capacity within the floodplain.
 - 4. Minimize Floodplain Impacts on Other Tracts of Land. To regulate development which would alter or increase the potential damage or impacts of a major storm or exacerbate the floodplain

impacts on other tracts of land.

- 6. Minimize Threat of Pollution of Water Resources. To minimize and prevent pollution of water resources during a major storm by prohibiting the disposal of garbage and other solid waste materials within the floodplain.
- 7. **Promote Agricultural Use.** To promote use of the floodplain for agricultural, open space and wildlife refuge purposes.
- B. Applicability and Liability and Disclosure.
 - 1. Applicability.
 - a. These Floodplain Regulations shall apply to all areas located within the Floodplain Overlay, in addition to the regulations applicable for the underlying zone district.
 - b. If a structure, lot or parcel of land lies partly within the Floodplain Overlay, the part of the structure, lot or parcel lying within the overlay district shall meet all requirements for the Floodplain Overlay.
 - 2. Liability. The degree of flood protection intended to be provided by these Regulations has been determined to be reasonable for the protection of life and property and is based upon engineering and scientific methods of study; floods of greater magnitude may occur and flood heights could be increased by man-made or natural causes. These Regulations do not imply that the areas outside the Floodplain Overlay District will be free from flooding or flood damages, or that compliance with these regulatory provisions will prevent flood loss or flood damage to land uses allowed within the Floodplain Overlay District. These Regulations shall not create a liability on the part of, or a cause of action against, [County] or any officer or employee thereof for any flood damages that may result from reliance on these regulatory provisions or any administrative decision.
 - 3. Disclosure to Purchaser or Lessee. If a permit, issued pursuant to these Regulations, allows a building or structure to be located in the floodplain, that the building or structure is located in a floodplain must be disclosed to the purchaser or lessee in the purchase contract, deed or lease.

- C. Other Permits and Approvals. In addition to the permit and approval requirements of these Regulations, the applicant shall meet all other permit and approval requirements of local, state and federal agencies, such as grading and access permits and Section 404 permit requirements of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.
- **D. Maintenance of Records of Floodplain Development.** The [<u>Administrator/Director</u>] shall maintain for public inspection all records pertaining to existing and new development within the Floodplain Overlay District, and to administration of the regulatory provisions of the Floodplain Overlay District, including permits issued or denied and the disposition of requests for variance.
 - 1. Record of Permit Application.
 - **a.** The application materials.
 - **b.** Written materials submitted to the County by an individual or agency regarding the application.
 - **c.** The Staff Report, consultant reports, and referral agency reports.
 - **d.** Written documentation of application approval or denial.
 - **e.** If applicable, documentation of application to appeal the decision, or Call-up by the Board of County Commissioners.
 - **f.** Record of decision regarding appeal.
 - (1) The audio tape or video tape record of the public hearing proceedings.
 - (2) The minutes of the public hearing.
 - (3) Written documentation of the Board's decision. [e.g. adopted Resolution]
 - 2. Record of Variance Requests. The record of request for variance from the requirements of these floodplain development regulations shall consist of the following. Variances which are approved shall be reported on an annual basis to the Federal Insurance Administration.

- **a.** The application materials.
- **b.** Written materials submitted to the County by an individual or agency regarding the application.
- **c.** The Staff Report, consultant reports, and referral agency reports.
- **d.** Record of decision by the Board of Adjustment.
 - (1) The audio tape or video tape record of the public hearing proceedings.
 - (2) The minutes of the public hearing by the Board of Adjustment.
 - (3) Written documentation of the decision by the Board of Adjustment. [For example: adopted Resolution]

3. Record of Lowest Floor Elevations and Flood Proofing.

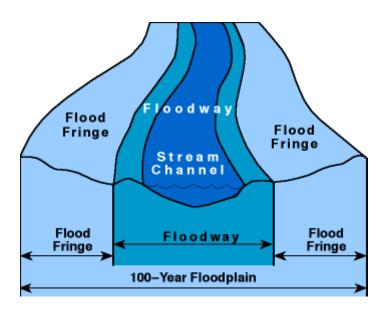
- **a.** Records establishing the actual elevation of the lowest floor, including the basement, for all new or substantially improved structures.
- **b.** For all new or substantially improved structures that have been flood proofed, records that contain the following information:
 - (1) The elevation to which the structure is flood proofed.
 - (2) Certification, pursuant to the requirements of these Regulations, that the flood proofing methods meet the flood proofing criteria of these Regulations.

E. Designation of Boundaries of Floodplain Overlay District.

- 1. The Floodplain Overlay District shall be comprised of the 100-year floodplain of the rivers and creeks in unincorporated [*County*], and include the following.
 - a. Areas within the designated 100-year floodplain as mapped on the Flood Insurance Rate Maps (FIRM) prepared for

[County] by FEMA.

- **b.** Areas in and adjacent to a stream or other watercourse within the unincorporated area of [*County*] which could be inundated by a 100-year flood for that water course.
- c. Areas in and adjacent to a stream channel or other watercourse which are subject to flooding as the result of a base flood and are equivalent to the "Area of Special Flood Hazards" designated on Flood Insurance Rate Maps, and "Flood-prone Areas" on US Geological Survey Flood-prone Area Maps.
- 2. The [Administrator/Director] shall review floodplain reports approved by the Colorado Water Conservation Board and make recommendations to the Planning Commission and Board of County Commissioners regarding necessary amendments or additions to the Floodplain Overlay District.
- 3. The [<u>Administrator/Director</u>] shall obtain, review and reasonably utilize any base flood elevation data available from state, federal and other sources.
- **F.** Division of Floodplain by Degree and Nature of Flooding. To maximize opportunity for appropriate land use within the Floodplain Overlay District, the floodplain shall be divided into the following areas, based upon the degree and nature of flooding.
 - 1. Floodway. The Floodway is the high hazard area comprised of the channel of a stream or other watercourse plus any adjacent floodplain areas which are reasonably required to carry and discharge the floodwaters of a base flood, and which must be kept free of development so the base flood can pass with no increase in the water surface elevation or the energy grade line, or pass with no more than a 0.5' increase in flood height.
 - 2. Flood Fringe. The Flood Fringe is a low hazard area comprised of the area between the outer boundary of the Floodway and the outer limit of the 100-year floodplain.
 - **a.** For all rivers, the Floodway-Flood Fringe boundary shall be a minimum of twenty-five (25) feet from the natural streambank.



- 3. Flood-prone Area. The Flood-prone Area is an approximate area encompassing the area in and adjacent to a stream or other watercourse, which is subject to flooding as the result of a base flood, the water surface elevations of which have not been determined by detailed engineering study. The Flood-prone Area is equivalent to the Area of Special Flood Hazards designated as "Zone A" on Flood Insurance Rate Maps (FIRM), and to the Flood-prone Areas designated on U.S. Geological Survey Flood-prone Area maps.
 - a. The specific extent of the flood hazard has not been determined in a Flood-prone Area. The boundaries of the Flood-prone Area are based upon physical factors indicating flow and direction of water, historical flood experience, or other readily available data.
- **G.** Determination of Location Within Floodway or Flood Fringe Areas. The [Administrator/Director] shall make the determination as to whether the site of a proposed land use is within a Floodway or Flood Fringe Area.
 - 1. Notice of Floodway of Flood Fringe Determination. The [Administrator/Director] shall inform the applicant in writing whether the site of the proposed land use is within a Floodway or Flood Fringe Area.
 - **a.** Applications for proposed land use located within the

- Floodway shall be subject to the regulatory provisions set forth in Section 3-401 G, *Floodway Use Restrictions*.
- **b.** Applications for proposed land use located within the Flood Fringe Area shall be subject to the regulatory provisions set forth in Section 3-401 H, *Flood Fringe Area Use Restrictions*.
- 2. Studies Required for Determination of Flood Hazard in Flood-prone Area. Public health, safety and welfare require that an application for land use in a Flood-prone Area, which proposes use or activity other than that allowed pursuant to Section 3-401 I, shall not be accepted as complete unless it is accompanied by the results of studies necessary for the [Administrator/Director] to determine whether the proposed development is located in a Floodway or Flood Fringe Area.
 - a. The required studies shall meet the technical criteria established by the Colorado Water Conservation Board and FEMA.
- 3. Areas Not Previously Mapped. The applicant shall be responsible for floodplain studies and appropriate maps, prepared by a qualified professional engineer, if there is reasonable indication that an area of the site for a proposed land use is located within the 100-year floodplain, but no studies or maps have been prepared.
 - a. The studies and maps shall determine the depth and elevation of the base flood for the entire area of the site and for two hundred yards upstream and downstream from the site, with appropriate cross sections.
 - **b.** The floodplain studies shall meet the technical criteria established by the Colorado Water Conservation Board and the Federal Emergency Management Agency for the review and designation of floodplain delineation studies. The [Administrator/Director] shall determine the map scales that will be required.
- **H.** Floodway Use Restrictions. The following use restrictions shall apply to areas within the Floodplain Overlay that are designated as a Floodway.

- 1. **Prohibited Uses and Activities.** No development, encroachment, use or alteration in, on or over any part of the Floodway shall be permitted which alone or cumulatively with other uses would cause or result in:
 - **a.** Occupation of permanent or temporary structures.
 - **b.** Development or use of overnight campgrounds or recreational vehicle (RV) parks.
 - **c.** Development of solid waste disposal sites and central collection sewage treatment facilities.
 - **d.** Storing or processing of materials that are buoyant, flammable, explosive, or otherwise potentially injurious to human, animal or plant life.
 - e. The potential of solid debris (including garages, storage sheds, decks, fences) or waste (including septic systems) being carried downstream by floodwaters.
 - f. An increase in the level or likelihood of flooding on the property or on any other properties that may be impacted by the proposed land use.
 - g. An adverse effect on the efficiency and capacity of the floodway or change the direction of flow or cause any increase in the base flood elevation or velocities during the occurrence of the base flood discharge.
- 2. Allowed Uses and Activities. The following uses are allowed within the Floodway to the extent that they are permitted by the underlying zoning district, and the proposed use complies with applicable standards for the zone district, the use restrictions set forth in Section 3-401 G1, *Prohibited Uses and Activities*, and the Floodplain Overlay District standards set forth in Article 7, Section 7-701, *Additional Standards Within Floodplain Overlay*.
 - **a.** Agricultural uses such as farming, pasture, grazing, sod farming and wild crop harvesting.
 - **b.** Lawns, gardens, open areas and driveways that are accessory to residential uses.

- c. Recreational and open space uses, including trains, not requiring permanent or temporary structures designed for human habitation.
- **d.** Roadways, highways and bridges.
- I. Flood Fringe Area Use Restrictions. The following use restrictions shall apply to all areas within the Floodplain Overlay that are designated as a Flood Fringe.
 - 1. Prohibited Uses and Activities. No development, encroachment, use or alteration in, on or over any part of the Flood Fringe areas shall be permitted which alone or cumulatively with other uses would cause or result in:
 - **a.** Disposal of garbage or other solid or liquid waste materials.
 - **b.** Storing or processing of materials that are buoyant, flammable, explosive, or otherwise potentially injurious to human, animal or plant life.
 - c. An adverse effect on the efficiency and capacity of the floodway or change the direction of flow or cause any increase in the base flood elevation or velocities during the occurrence of the base flood discharge.
 - **d.** The potential of solid debris (including storage sheds, decks, fences) or waste (including septic systems) being carried downstream by floodwaters.
 - 2. Allowed Uses and Activities. The following uses are allowed within the Flood Fringe to the extent that they are permitted by the underlying zoning district, and the proposed use complies with applicable standards for the zone district, the use restrictions set forth in Section 3-401 H1, *Prohibited Uses and Activities*, and the Floodplain Overlay District standards set forth in Article 7, Section 7-701, *Additional Standards Within Floodplain Overlay*.
 - **a.** Residential buildings and structures.
 - **b.** Non-residential buildings and structures.
 - **c.** Agricultural uses such as farming, pasture, grazing, wild crop

- harvesting, outdoor plant nurseries, horticulture, viticulture, truck farming, forestry and sod farming.
- **d.** Recreational uses including golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, trap and skeet ranges, hunting and fishing areas, fish hatcheries and hiking, biking and equestrian trails.
- **e.** Lawns, open areas, gardens, driveways, and play areas that are accessory to residential uses.
- **f.** Uses accessory to open space.
- **g.** Storage yards for equipment or machinery easily moved or not subject to flood damage.
- h. Dams, power plants, spillways, water monitoring devices, water supply ditches, irrigation ditches and laterals, structures for irrigation, structures for drainage and flood control, utility lines and pipelines.
- i. Roadways, highways, bridges, railroads, parking areas, loading areas, and airport landing strips.
- **J.** Flood-Prone Area Use Restrictions. The following use restrictions shall apply to any area identified as a Flood-prone Area pursuant to these Regulations.
 - 1. **Prohibited Uses and Activities.** No development, encroachment, use or alteration in, on or over any part of a Flood-prone Area shall be permitted which alone or cumulatively with other uses would cause or result in:
 - **a.** Disposal of garbage or other solid waste materials.
 - **b.** Storing or processing of materials that are buoyant, flammable, explosive, or otherwise potentially injurious to human, animal or plant life.
 - **c.** The potential of solid debris (including garages, storage sheds, decks, fences) or waste (including septic systems) being carried downstream by floodwaters.

- **d.** An increase in the level or likelihood of flooding on the property or on any other properties that may be impacted by the proposed land use.
- **e.** An adverse effect on the efficiency and capacity of the floodway or change the direction of flow or cause any increase in the base flood elevation or velocities during the occurrence of the base flood discharge.
- 2. Allowed Uses and Activities. The following uses are allowed within the Flood-prone Areas to the extent that they are permitted by the underlying zoning district, and the proposed use complies with applicable standards for the zone district, the use restrictions set forth in Section 3-401 I, *Prohibited Uses and Activities*, and the Floodplain Overlay District standards set forth in Article 7, Section 7-701, *Additional Standards Within Floodplain Overlay*.
 - **a.** Agricultural uses such as farming, pasture, grazing, wild crop harvesting, outdoor plant nurseries, horticulture, viticulture, forestry truck farming and sod farming.
 - b. Private and public recreational uses including golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, trap and skeet ranges, hunting and fishing areas, fish hatcheries and hiking, biking and equestrian trails.
 - (1) Structures accessory to such uses shall not be located in a Flood-prone area.

K. Regulatory Floodway Not Designated.

1. When a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the Flood Insurance Rate Maps (FIRM), unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot.

2. The County may approve certain development within Zones A1-30, AE, AH on the Flood Insurance Rate Maps (FIRM) which increases the water surface elevation of the base flood by more than one foot, provided that the County first applies for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision), pursuant to 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations.

Section 3-402 Urban Growth Area Overlay District.

- **A. Purpose.** The purpose of the Urban Growth Area Overlay is to coordinate infrastructure and facilitate development that is compatible with the zoning and land use standards of [<u>municipal influence areas</u>] within the County.
- **B.** Allowed Uses. Uses permitted in the underlying zoning district will be allowed in the Urban Growth Area Overlay District if the proposed use complies with applicable standards for the zone district, the <u>Comprehensive Plan/Master Plan</u>, and applicable intergovernmental agreements. Property subdivided in the Urban Growth Area Overlay shall be developed as a Planned Unit Development, pursuant to Article 6, *Planned Unit Development*.

Section 3-403 Rural Community Overlay District.

- **A. Purpose.** The purpose of Rural Community Overlays is:
 - Identify Established Areas of Urban Density and Use, and Promote Compatible Land Use. To identify established areas of urban densities and uses in unincorporated areas, and to establish development standards that are specific to the individual rural community and promote compatible land use and growth within these areas.
 - 2. Facilitate Small Lot Development. To facilitate development activity compatible with the small lot development of unincorporated communities with established areas of urban density.
 - 3. **Provide A Consistent Permit Process.** To provide consistent land use change permit application review standards.
 - **4. Antique Subdivisions.** To establish development standards which promote compatible land use in subdivisions platted prior to [date].
- **B.** Applicability. The Rural Community Overlay may be applied on an

individual basis to any unincorporated community and to legally established subdivisions in unincorporated [*County*] existing at the time of adoption of this Code, and determined by the County to be areas of urban density.

- C. Process for Establishing a Rural Community Overlay.
 - Designation of Individual Rural Community Overlay District by Resolution. The Board of County Commissioners, by resolution, may designate an area to be a Rural Community Overlay District. Each such resolution shall identify the location and boundaries of the district.
- D. Rural Community Overlay Development Restrictions.
 - 1. Water and Sewer. All new uses constructed or expanded in a Rural Community Overlay District must be properly served by water, sewer, utilities and access. A minimum lot size of one (1) acre shall be required to place a septic system on the property.
 - 2. Lot Size and Building Requirements. Lot size, setback requirements and height limitations for each Rural Community Overlay District shall be established by resolution, taking into consideration the existing individual character of the community.
 - 2. Nonconformities in Community Overlay Districts. Uses, structures and lots that were lawfully established pursuant to the regulations in effect at the time of their development which do not now conform to the provisions set forth under a Rural Community Overlay District shall be governed by the provisions of Article 10, Nonconforming Land Use.

Section 3-404 View Protection Overlay District.

- **A. Purpose.** The purpose of the View Protection Overlay is to promote development that is consistent with stated goals for development in the established view corridor pursuant to the [Comprehensive Plan/Master Plan].
- **B.** Allowed Uses. Uses allowed in the underlying zoning district are allowed in the View Protection Overlay District if the proposed use complies with applicable standards for the zone district, design and construction requirements set forth in Section 3-404 C, and the View Protection Overlay District standards set forth in Article 7, Section 7-702, *Additional Standards Within View Protection Overlay*.

C. Design and Construction Requirements.

- 1. Height Restrictions.
 - a. For building lots with a slope of less than twenty (20) percent, no portion of a structure or additions to an existing structure may exceed thirty-five (35) feet in height as measured from the natural grade of the lot at the lowest elevation within twenty-five (25) feet of the structure.
 - **b.** For building lots with a slope of twenty (20) percent or greater, no portion of a structure or additions to an existing structure may exceed twenty-five (25) feet in height as measured from the natural grade of the lot at the lowest elevation of the structure.
- 2. Visual Impact Along Skyline. Development shall be located in a manner that minimizes the visual impact of associated structures along the skyline at the crest of the ridge from an established view corridor identified in the <u>Comprehensive Plan/Master Plan</u>.

Section 3-405 Watershed Protection Overlay District.

- **A. Purpose.** The purpose of the Watershed Protection Overlay is:
 - Protect Watershed from Significant Degradation. To prohibit certain uses that because of their intensity or nature cause significant degradation to the watershed environment.
 - 2. Protect Watershed from Pollution. To regulate development so that the watershed is protected from erosion, contamination, sedimentation and other point or non-point sources of pollution.
 - 3. Ensure Compatibility Between Development and Natural Constraints. To ensure compatibility between a proposed land use activity and natural constraints of the watershed area by requiring well-engineered solutions to those constraints.
- **B.** Allowed Uses. Uses allowed in the underlying zoning district shall be allowed in the Watershed Protection Overlay District if the proposed use complies with applicable standards for the zone district and with the Watershed Protection Overlay District standards set forth in Section 7-703, *Additional*

Standards Within Watershed Protection Overlay.

Section 3-406 Airport/Heliport Impact Area Overlay District.

- **A. Purpose.** The purpose of an Airport/Heliport Influence Area Overlay is:
 - Support Operation and Vitality of Public Airports and Heliports. To support and encourage the continued operation and vitality of public use airports and heliports.
 - 2. Promote Public Health, Safety and Welfare. To reduce potential safety hazards for persons living, working or recreating near public use airports and heliports.
 - 3. Mitigation of Environmental Impacts. To minimize environmental impacts resulting from the operation of public use airports and heliports.

B. Applicability.

- 1. The regulations in this Section shall apply to all areas located within the Airport/Heliport Impact Area Overlay, in addition to the regulations applicable for the underlying zone district.
- 2. If a structure, lot or parcel of land lies partly within the Airport/Heliport Impact Area Overlay, the part of the structure, lot or parcel lying within the overlay district shall meet all requirements for the Airport/Heliport Impact Area Overlay.
- C. Designation of Boundaries of the Airport/Heliport Influence Area Overlay District. The Airport/Heliport Influence Area Overlay District shall be comprised of the Airport Imaginary Surfaces defined by FAR Part 77 and these Regulations, and include the following. The District's boundaries shall be the outer extremities of the boundaries of the Imaginary Surfaces.
 - 1. All lands, waters and airspace, or portions thereof, which are located within the boundaries of the Primary Surface, Runway Protection Zone (RPZ), Approach Surface, Horizontal Surface, Conical Surface and Transitional Surface.
 - 2. If the noise impact boundary extends beyond the extremities of the Imaginary Surfaces, the Airport/Heliport Influence Area Overlay District boundaries shall be extended to incorporate the noise

Section 3-406 Airport/Heliport Impact Area Overlay District: Notice Requirements for Proposed Land Use Change Within the Airport Heliport Influence Area

impact boundary.

D. Notice Requirements for Proposed Land Use Change Within the Airport/Heliport Influence Area Overlay District.

- 1. Unless otherwise provided under paragraph 3 below, the [<u>Administrator/Director</u>] shall provide to the [<u>Airport Sponsor</u>] written notice of <u>any</u> proposed land use change located within the Airport/Heliport Influence Area Overlay.
- 2. Unless otherwise provided under paragraph 3 below, the [<u>Administrator/Director</u>] shall provide to the Board of County Commissioners written notice of *any* proposed land use change located within the Airport/Heliport Influence Area Overlay.
- 3. Written notice to the [Airport Sponsor] or to the Board shall not be required for a proposed land use change located within the Airport/Heliport Influence Area Overlay that meets all of the following criteria.
 - **a.** All structures associated with the proposed land use are less than thirty-five (35) feet in height; and
 - **b.** The proposed land use involves property located entirely outside the Approach Surface; and
 - c. The proposed land use does not involve industrial, mining or similar uses that emit smoke, dust or steam; sanitary landfills or water impoundments; or radio, radiotelephone, television or similar transmission facilities or electrical transmission lines; and
 - **d.** The proposed land use does not involve wetland mitigation, enhancement, restoration or creation.
- **E.** Airport/Heliport Influence Area Overlay Use Restrictions. Section 3-502, Use Tables: Airport/Heliport Influence Area Overlay District explains land use restrictions in the Airport/Heliport Influence Area Overlay District.
 - 1. Prohibited Uses and Activities.
 - **a.** The following uses are prohibited in the Airport/Heliport

Influence Overlay District.

- (1) Sanitary landfills.
- (2) Water treatment plants.
- **b.** No structures shall be allowed in the Runway Protection Zone (RPZ), except that accessory structures to airport operations may be located in the RPZ based upon approval by the FAA.
 - (1) For purposes of this document, tee markers, tee signs, pin cups and pins are not considered to be structures.
- **c.** Public assembly facilities are prohibited in the RPZ.
- **d.** High density uses shall be prohibited in Approach Surfaces.
- 2. Allowed Uses and Activities. The following uses are allowed within the Airport/Heliport Influence Area Overlay to the extent that they are permitted by the underlying zoning district, and the proposed use complies with applicable standards for the zone district, the use restrictions set forth in Section 3-406 D1, Prohibited Uses and Activities, and the Airport/Heliport Influence Area Overlay District standards set forth in Article 7, Section 7-704, Additional Standards Within Airport/Heliport Influence Area Overlay.
 - a. **Public Assembly Facilities.** Public assembly facilities may be allowed in Approach Surfaces if the potential danger to public safety is minimal.
 - **b. Residential.** Residential structures shall be located outside Approach Surfaces unless no practicable alternatives exist.
 - c. Golf Courses. Golf courses may be allowed, conditioned upon the use of accepted management techniques to reduce existing wildlife attractants and avoid the creation of new wildlife attractants.
 - **d. Farm Use.** Farming practices that comply with the recommendations of AC 150/5200-3A, *Hazardous Wildlife Attractants on or Near Airports* shall be encouraged.

e. Utilities.

- (1) In the RPZ, utilities, power lines and pipelines shall be located underground.
- (2) In Approach Surfaces, and Airport Direct and Secondary Impact Areas, the proposed height of utilities shall be coordinated with the Airport Sponsor and the Board of County Commissioners.
- f. Wetland Mitigation, Creation, Enhancement and Restoration. Wetland mitigation, creation, enhancement and restoration projects may be permitted based upon compliance with the applicable standards in Article 7, Section 7-704.
 - (1) Location of wetland mitigation banks outside
 Approach Surfaces, Direct Impact Areas and
 Secondary Impact Areas is encouraged because of
 the potential for increased air navigation safety
 hazards.
- g. Water Impoundments in Approach Surfaces, Direct Impact Areas and Secondary Impact Areas. Any use or activity that would result in the establishment or expansion of water impoundments in Approach Surfaces, Direct Impact Areas and Secondary Impact Areas shall comply with the following requirements.
 - (1) No new or expanded water impoundments of onequarter acre in size or larger shall be permitted within an Approach Surface and within 5,000 feet from the end of a runway.
 - (2) No new or expanded water impoundments of onequarter acre in size or larger shall be permitted on land owned by the airport/heliport sponsor that is necessary for airport/heliport operations.
- **Noise.** Land use proposed to be located within the Noise Impact Area boundaries shall comply with the use restrictions set forth in

the Use Table at Section 3-502 A.

DIVISION 5 USE, LOT SIZE AND SETBACK TABLES

Section 3-501 Use Table. This Table identifies the uses allowed in each zone district and the level of review the use shall be subject to. Unless otherwise specified, the level of review required is based upon the use as a principle use of the property.

- E Exempt Use, pursuant to Article 2, Section 2-104
 A Use Permitted Subject to Administrative Review
 L Use Permitted Subject to Limited Impact Review
- M Use Permitted Subject to Major Impact Review

			Z	ONE	DIS	TRIC	Τ		
USE	RESOURCE	Rural Residential	ESTATE RESIDENTIAL	Suburban Residential	MULTIFAMILY RESIDENTIAL	MANUFACTURED HOME PARK	COMMERCIAL - LIMITED	COMMERCIAL - GENERAL	INDUSTRIAL
Accessory Agricultural Retail Sales	Е	L	М						
Accessory Building or Structure [120 sq. ft. or larger] ¹	А	Α	А	Α	Α	Α	Α	Α	Α
Accessory Building or Structure [smaller than 120 sq. ft.] 1	Е	Е	Е	Е	Е	Е	Е	Е	Е
Accessory Concrete or Asphalt Batch Plant	М	М							L
Accessory Dwelling Unit ²	L	L	L				L	L	
Agricultural Equipment, Supplies and Materials Store							L	L	L

	ZONE DISTRICT								
USE	Resource	Rural Residential	ESTATE RESIDENTIAL	Suburban Residential	MULTIFAMILY RESIDENTIAL	MANUFACTURED HOME PARK	COMMERCIAL - LIMITED	COMMERCIAL - GENERAL	INDUSTRIAL
Agricultural Operations, Customary Accessory Buildings and Structures, and Uses Accessory to Agricultural Operations	Е	Ш	М						
Agricultural Products Processing, Storage, Distribution and Sale Off-Site ²	М								L
Agricultural Products Processing, Storage, Distribution and Sale at Point of Production ³	Е	А	М						
Agricultural Products Retail Outlet Aircraft Landing Strip [private]	M L	М	М	М			Α	Α	Α
Art Gallery							А	Α	
								۸	
Bakery, Commercial							Α	Α	L
Boarding or Rooming House					L		L	L	
Broadcasting Studio	L						A	A	
Campground	М	М						^	
Car Wash							Α	Α	Α
Cemetery Church	M	L M	L	L	L	L	M	M	
Clinic, Medical and Dental	IVI	IVI		L	L	L	A	A	
Communication Facility	М	М	M	M	М	M	M	M	М
Community Meeting Facility, Reception Hall, or Auditorium	L	L	L	L	L	L	L	L	
Convenience Store	М	М	М	М	М	М	L	L	
Corrections Facility	М								

	ZONE DISTRICT									
							_			
USE	Resource	Rural Residential	ESTATE RESIDENTIAL	Suburban Residential	MULTIFAMILY RESIDENTIAL	MANUFACTURED HOME PARK	COMMERCIAL - LIMITED	COMMERCIAL - GENERAL	INDUSTRIAL	
Day Care Center	L	L	L	L	L	L	L	L		
Duplex			Α	Α	Α		M	М		
Eating or Drinking Establishment	М	М	М	М	M	М	Α	Α		
Educational Facility	М	М	L	L	L					
Electric Power Distribution Line and Facilities	М	М	М	М	М	М	М	М	L	
Electric Power Generating Facility	М	М	М	M	М	M	M	М	L	
Electric Power Transmission Line	М	М	М	M	М	M	M	М	L	
Equestrian Center	L	L								
Excavations of Less Than 500 Cubic Yards, Unrelated to Mining	Е	Е	Е	Е	Е	Е	Е	Е	Е	
Excavations of 500 Cubic Yards or More, Unrelated to Mining	Α	А	А	А	Α	А	А	А	Α	
Extraction or Exploration: gravel pit, petroleum or natural gas well, coal or ore mine	М								М	
Fabrication – Equipment, Small Appliances									L	
Fabrication – Vehicles, Machinery, and Heavy Equipment									М	
Fabrication - Assembly of Structures									М	
Fabrication– Cabinet Making, Woodworking, Metalworking, Glazing, Machining	L			L	М		L	L	L	
Condina.	N 4									
Feedlot	M								Ν.4	
Feedlot, Commercial	М								M	

	ZONE DISTRICT								
		TIAL						GENERAL	
USE	RESOURCE	RURAL RESIDENTIAL	ESTATE RESIDENTIAL	SUBURBAN RESIDENTIAL	MULTIFAMILY RESIDENTIAL	MANUFACTURED HOME PARK	COMMERCIAL - LIMITED	COMMERCIAL - GENERAL	INDUSTRIAL
Fire Station	L	L	L	L	L	L	L	L	L
Forestry	Е								
General Service Establishment – Plumbing Contractor, Electrical Contractor, Building Contractor, Blacksmith, Service and Repair of Appliances, Equipment and Machinery								А	А
Golf Course	М	М	М						
Group Home Facilities	М	М	М	М	М				
Guiding and Outfitting	Е	Е							
Home Occupation	Α	Α	Α	Α	Α	Α	Α	Α	
Heliport	М	М					М	M	М
Helistop	L								
Hospital	М	М	М	М	М		М	M	
Indoor Recreation, Amusement or Theater							А	А	
Kennel	L						L	L	L
Laundromat, Laundry or Dry-Cleaning Facility – Individual Service	L	L	L	L	L	А	А	А	
Laundry or Dry-Cleaning Plant, Commercial									L
Library	L	L	L	L	L	L	Α	Α	
Lodging Facilities - Major	М						М	М	
Lodging Facilities - Minor	L						L	L	

			ZONE DISTRICT							
USE	Resource	RURAL RESIDENTIAL	ESTATE RESIDENTIAL	SUBURBAN RESIDENTIAL	MULTIFAMILY RESIDENTIAL	MANUFACTURED HOME PARK	COMMERCIAL - LIMITED	COMMERCIAL - GENERAL	Industrial	
Manufactured Home						А				
Mass Transit Facility	М	М	M	М	M	M	M	М	М	
,										
Mineral Waste Disposal Areas	М								М	
Mortuary							L	L		
Motor Sports Center	М		Λ		Λ		N /	M		
Multi-Family Dwelling Units Museum			Α		Α		M L	M L		
iviuscum							L	L		
Natural Gas Transmission Line	М	М	М	М	M	M	M	М	М	
Nursery/Greenhouse/Garden Supply and Plant Materials	Е	Е	L				А	А	А	
Nursery, Commercial	L	L	М				L	L	L	
Nursing Facility/Convalescent Home					М		М	М		
Outdoor Recreation	М	М	М	M	М	M		M	\vdash	
Park or Playfield	Α	Α	А	Α	А	А	А	А		
Parking Lot or Parking Garage [as		-73	/1	73	73	73			N 4	
Principal use of Property]							M	М	М	
Personal Storage Facility						L	L	L		
Processing –Batch Plant	М								М	
Processing - Brewing, Bottling Plant	N 4								M	
Processing – Custom Meat and Poultry	M								M	
Processing – Food and Beverages Processing of Natural Resources –									M	
Petroleum, Oil Shale, Coal, Wood Products	М								М	

	ZONE DISTRICT								
USE	Resource	Rural Residential	ESTATE RESIDENTIAL	Suburban Residential	MULTIFAMILY RESIDENTIAL	MANUFACTURED HOME PARK	COMMERCIAL - LIMITED	COMMERCIAL - GENERAL	INDUSTRIAL
Processing – Recyclable Material									М
Professional or Business Office							Α	Α	
Pumping Station	М								М
Describer Cellerther or Drew Off Control									
Recycling Collection or Drop Off Center Recycling Plant	L M	L	L	L	L	L	L	L	L M
Resort, Lodge, Conference Center	M	M							IVI
Retail or Personal Service Facility	IVI	IVI					Α	Α	
Retail/Wholesale : Building Supply and							/ \		•
Material								Α	Α
Retail/Wholesale: Bulk Sales of LPG (more than 2000 gallons)									М
Retail/Wholesale: Electronic,								А	Α
Mechanical and Plumbing Supplies								- '	
Retail/Wholesale: Industrial Equipment Sales and Leasing								L	Α
RV Park	М	M							
Salvage Yard									М
Sanitary Landfill	М								
Shooting Range	М								
Single-Family Dwelling Unit on One Lot	Е	Е	Е	Е	Е	Е	Е	Е	
Ski Area, Ski Lift and Trails	М	M							
Solid Waste Disposal Site or Facility	M	N 4						N 4	M
Solid Waste Transfer Facility	М	M						M	Α
Storage: Accessory Storage of Materials or Equipment Within a Building	А	L					L	L	А

	ZONE DISTRICT								
								AL	
USE	RESOURCE	RURAL RESIDENTIAL	ESTATE RESIDENTIAL	SUBURBAN RESIDENTIAL	MULTIFAMILY RESIDENTIAL	MANUFACTURED HOME PARK	COMMERCIAL - LIMITED	COMMERCIAL - GENERAL	INDUSTRIAL
Storage: Bulk Storage of LPG (greater than 2000 gallons)	М								М
Storage: Cold Storage Plants									М
Storage: Hazardous Materials Requiring a Special State or Federal Permit	М								М
Storage: Heavy Equipment	М							М	L
Storage: Petroleum, Natural Gas, Methane or Other Volatile Substance	М								М
Storage: Supplies, Machinery, Equipment, or Products Customary or Accessory to Agriculture Operations	Е	Е	М						М
Storage: Supplies, Machinery, Equipment or Products Customary or Accessory to Oil and Gas Drilling Operations	M	М							М
Telecommunication Facilities	M	М	М	M	M	M	M	М	M
Temporary Batch Plant	A	A	IVI	IVI	IVI	IVI	IVI	IVI	A
Temporary Construction or Sales Office	A	A	Α	Α	Α	Α	Α	Α	Α
Temporary Fireworks Stands and Christmas Tree Lots	Α	Α	Α	Α	Α	Α	А	Α	Α
Transit Operations Facility: Storage, Repair and Dispatch Center									М
Utility Distribution Facility	Α	А	А	А	Α	A	Α	А	Α
Utility Substation	М	M	M	М	М	М	М	M	М
Vehicle Sales/Rental Lots							L	L	L
Vehicle Service Center							L	L	А

	ZONE DISTRICT								
USE	RESOURCE	Rural Residential	ESTATE RESIDENTIAL	Suburban Residential	MULTIFAMILY RESIDENTIAL	MANUFACTURED HOME PARK	COMMERCIAL - LIMITED	COMMERCIAL - GENERAL	INDUSTRIAL
Vehicle Repair Shop/Body Shop/Paint Shop							М	М	L
Veterinary Clinic	L						L	L	L
Warehouse & Distribution Center								М	L
Water Diversion Structures, Ditches and Pipeline Structures engineered to convey fifteen (15) cfs of water or less, or designed to serve as a domestic supply for less than ten (10) dwelling units	А	А	А	А	А	А	А	А	А
Water Diversion Structures, Ditches and Pipeline Structures engineered to convey more than fifteen (15) cfs of water or less, or designed to serve as a domestic supply for ten (10) or more dwelling units	M	M	M	M	М	М	М	M	М
Water Impoundment	Α	Α	Α	M	M	М	М	M	М
Water Storage Facility	М	М	М	М	М	М			
Water or Wastewater Projects	М	М	М	М	М	М	М	М	М
Water or Wastewater Treatment Facility	М	М	М	М	М	М	М	М	М
Welding Shops									L
Wind Powered Electric Generator	M								М

Notes:

- Accessory to Uses other than Agriculture.
 Accessory Dwelling Unit not allowed in conjunction with Duplex or Multi-family dwelling units.
 Use does not include processing and storage of meats and poultry.
- 1. 2. 3.

Section 3-502 Use Tables: Airport/Heliport Influence Area Overlay District.

A. Use Restrictions Based On Noise Levels.

P = Use is Permitted

L = Use is Not Recommended but May be Allowed Under Certain Circumstances

N = Use is Not Allowed

	YEARLY DAY-NIGHT AVERAGE SOUND LEVEL (Ldn) IN DECIBELS								
LAND USE	<65	65-70	70-75	75-80	80-85	>85			
Residential except mobile homes &	Р	L	L	N	N	N			
transient lodging									
Mobile Home Parks	Р	N	N	N	N	N			
Transient Lodging	Р	L	L	L	N	N			
Schools, Hospitals & Nursing Homes	Р	L	L	N	N	N			
Churches, Auditoriums & Concert Halls	Р	L	L	N	N	N			
Government Service	Р	Р	L	L	N	N			
Transportation	Р	Р	L	L	L	L			
Parking	Р	Р	L	L	L	N			
Commercial Use	Р	Р	L	L	N	N			
Wholesale & Retail – building materials,	Р	Р	L	L	L	N			
hardware & farm equipment									
Retail Trade - General	Р	Р	L	L	N	N			
Utilities	Р	Р	L	L	L	N			
Communication	Р	Р	L	L	L	N			
Manufacturing & Production	Р	Р	L	L	L	N			
Photographic & Optical	Р	Р	L	L	L	N			
Agriculture (except livestock) & forestry	Р	L	L	L	L	L			
Livestock Faring & Breeding	Р	L	L	N	N	N			
Mining & Fishing	Р	Р	Р	Р	Р	Р			
Outdoor Sports Arenas & Spectator	Р	L	L	N	N	N			
Sports									
Outdoor Music Shells, Amphitheatres	Р	N	N	N	N	N			
Nature Exhibits & Zoos	Р	Р	N	N	N	N			
Amusements, Parks, Resorts & Camps	Р	L	L	N	N	N			
Golf Courses, Riding Stables & Water Recreation	Р	Р	L	L	N	N			

Source: AC150/5020-1.

Division 5 Use, Lot Size and Setback Tables: Section 3-502 Use Tables: Airport/Heliport Influence Area Overlay District

B. Use Restrictions In RPZ, Approach Surface, and Impact Areas.

P = Use is Permitted

L = Use is Allowed Under Limited Circumstances (see footnotes)

N = Use is Not Allowed

	RPZ	Approach Surface ¹	DIRECT IMPACT AREA	SECONDARY IMPACT AREA
Public Airport	L	L	Р	Р
Residential	N	L ²	L	Р
Commercial	N	L	L	Р
Industrial	N	L	Р	Р
Institutional	N	L	L	Р
Roads/Parking	L3	Р	Р	Р
Parks/Open Space	L	Р	Р	Р
Athletic Fields	N	L	L	Р
Mining	N	L	L	L

- 1. Within 10,000 feet from the end of the primary surface of a non-precision instrument runway, and within 50,000 feet from the end of the primary surface of a precision instrument runway.
- 2. Residential densities within approach and transitional surfaces should not exceed: (1) within 500 feet of the outer edge of the RPZ, 1 unit per acre; (2) within 500 to 1,500 feet of the outer edge of the RPZ, 2 units per acre; (3) within 1,500 to 3,000 feet of the outer edge of the RPZ, 4 units per acre.
- 3. Roads and parking areas are permitted in the RPZ only upon demonstration that there are not practicable alternatives. Lights, guardrails, and related accessory structures are prohibited. Cost may be considered in determining whether practicable alternatives exist.

Source: Model Public Use Airport Safety And Compatibility Overlay Zone (Visual and Instrument Approach Airports), Oregon Department of Aviation

Section 3-503 Table: Lot Size and Setback Requirements.

	Lot Size		Setbacks ¹		
Zoning District	Minimum Lot Area	Front	Rear	Side	Height ³
Resource R	35 Acres	Arterial St.: 50' Local St.: 25'	12.5" or ½ the height of the tallest bldg ²	12.5" or ½ the height of the tallest bldg ²	40' Non Res 30' Res
Rural Residential RR	10 Acres	Arterial St.: 50' Local St.: 25'	12.5" or ½ the height of the tallest bldg ²	12.5" or ½ the height of the tallest bldg ²	30′
Estate Residential RE	1 Acre	Arterial St.: 50' Local St.: 25'	12.5" or ½ the height of the tallest bldg ²	12.5" or ½ the height of the tallest bldg ²	30′
Suburban Residential RS	20,000 sf	Arterial St.: 50' Local St.: 25'	12.5" or ½ the height of the tallest bldg ²	12.5" or ½ the height of the tallest bldg ²	30′
Multifamily Residential MF	7,500 sf	Arterial St.: 50' Local St.: 25'	12.5" or ½ the height of the tallest bldg ²	12.5" or ½ the height of the tallest bldg ²	30′
Manufactured Home Park MHP	2 acres (minimum area for individual manufactured home space, 3,000 sf)	Arterial St.: 50' Local St.: 25'	25 '	12.5" or ½ the height of the tallest bldg²	25′
Commercial, Limited CL	7,500 sf	Arterial St.: 50' Local St.: 25'	25' Residential 7.5' Commercial	12.5′′ *	35′
Commercial, General CG	7,500 sf	Arterial St.: 50' Local St.: 25'	25' Residential 7.5' Commercial	12.5″ *	35′
Industrial	2 acres, use served by individual well and sewage disposal system 1 acre, use served by central water and individual sewage disposal system	Arterial St.: 50' Local St.: 25'	20'	12.5′	40′
,	½ acre, use served by central water and sewer	Local St., 25			

NOTES:

- 1. Measured from lot line
- 2. Whichever is greater
- 3. Measured from highest point of final grade to highest point of roof.